

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

UNITED STATES OF AMERICA	:	
	:	
v.	:	CRIMINAL NO. 19-371-2
	:	
JOHN PHILLIPS	:	
	:	

McHUGH, J.

February 7, 2024

MEMORANDUM

This is a motion for compassionate release under 18 U.S.C. § 3582. Petitioner John Phillips pleaded guilty to distribution of methamphetamine and received a sentence of 108 months sentence, which represented a downward variance from an adjusted Guideline Range of 130 months to 162 months. He raises three grounds for relief, none of which meets the standard of showing “extraordinary and compelling reasons.” under 18 U.S.C. § 3582 (c)(1)(A) (i).

First, he seeks a reduction to avoid disparity in sentencing. This ignores the important fact that at the time of sentencing the Government proposed and the Court accepted a 4-level downward reduction in offense level to account for leniency shown to a co-defendant. Then, the Court varied downward further based on Petitioner’s background and the circumstances of the case.

Second, Mr. Phillips cites to medical challenges facing his mother. But the information he submits falls well short of showing that her needs are critical or demonstrating that he is the only family member who can care for her. Inconvenience

and the need for sacrifice on the part of Mr. Phillips' siblings is not sufficient to warrant his early release.

Finally, Mr. Phillips cites his efforts at rehabilitation, which are commendable. But as he acknowledges, standing alone they are not a basis for release, and given his Criminal History Category of VI, and the seriousness of his offenses, such efforts on his part are warranted.

Separately, consideration of the factors set forth in 18 U.S.C. §3553(a) also weigh heavily against granting the motion.

An appropriate order follows.

/s/ Gerald Austin McHugh
United States District Judge